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General Assembly

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Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
Second session
8-19 January 2001

Draft report of the Preparatory Committee

I. Introduction

1. At its fifty-fourth session, the General Assembly adopted resolution 54/54 V of 15 December 1999, the operative part of which reads as follows:

> "*The General Assembly*,
>
> "...
>
> "1. *Decides* to convene the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in June/July 2001;
>
> "2. *Also decides* that the scope of the Conference shall be the illicit trade in small arms and light weapons in all its aspects;
>
> "3. *Further decides* to establish a preparatory committee open to participation by all States, which will hold no fewer than three sessions, the first session to be held in New York from 28 February to 3 March 2000;
>
> "4. *Decides* that the specialized agencies, other relevant intergovernmental organizations and relevant entities, having received a standing invitation to participate as observers in the sessions and in the work of the General Assembly, shall participate, as observers, in the Preparatory Committee, and requests the Committee to take a decision on the modalities of attendance of non-governmental organizations at its sessions;
>
> "5. *Requests* the Preparatory Committee to decide, at its first session, on the date and venue of the Conference in 2001 as well as on the dates and venue of its subsequent sessions;
>
> "6. *Stresses* the need to ensure the widest possible and effective participation in the Conference in 2001;

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"7. *Requests* the Preparatory Committee to make recommendations to the Conference on all relevant matters, including the objective, a draft agenda, draft rules of procedure and draft final documents, which will include a programme of action, and to decide on background documents to be made available in advance;

"8. *Invites* all Member States, in particular those that have not yet done so, in response to the note verbale of the Secretary-General of 20 January 1999, to communicate to the Secretary-General their views on the agenda and other relevant questions relating to the Conference;

"9. *Requests* the Secretary-General to transmit the replies of Member States relevant to paragraph 8 above to the Preparatory Committee and to render the Preparatory Committee and the Conference all necessary assistance, including the provision of essential background information, relevant documents and summary records;

"10. *Endorses* the report of the Secretary-General on small arms, prepared with the assistance of the Group of Governmental Experts on Small Arms pursuant to General Assembly resolution 52/38 J (A/54/258), bearing in mind the views of Member States on the report;

"11. *Calls upon* all Member States to implement the relevant recommendations contained in section IV of that report to the extent possible and where necessary in cooperation with appropriate international and regional organizations and/or through international and regional cooperation;

"12. *Requests* the Secretary-General to seek the views of Member States on the report as well as on the implementation of the relevant recommendations contained therein;

"13. *Also requests* the Secretary-General to implement the relevant recommendations contained in section IV of the report within available financial resources and with any other assistance provided by the States in a position to do so and in cooperation with appropriate international and regional organizations where necessary;

"14. *Further requests* the Secretary-General, in order to assist in preventing the illicit trafficking in and illicit circulation of small arms and light weapons:

"(a) To carry out a study, within available financial resources and with any other assistance provided by Member States in a position to do so, and with the assistance of governmental experts appointed by him, on the basis of equitable geographical representation, while seeking the views of Member States, on the feasibility of restricting the manufacture and trade of such weapons to the manufacturers and dealers authorized by States, which will cover the brokering activities, particularly illicit activities, relating to small arms and light weapons, including transportation agents and financial transactions;

"(b) To submit the study as one of the background documents for the Conference to be held in 2001;

"15. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled 'Small arms'."

2. By its decision 55/415, entitled "Small arms", adopted on 20 November 2000, the General Assembly decided to convene the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in New York, from 9 to 20 July 2001. It also decided to convene the third session of the Preparatory Committee for the Conference in New York, from 19 to 30 March 2001.

3. Representatives from the following States participated in the second session of the Preparatory Committee: Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Egypt, Eritrea, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Guatemala, Guinea, Guyana, Holy See, Hungary, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Malaysia, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Nauru, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia and Zambia.

4. The following specialized agencies, intergovernmental organizations and relevant entities participated as observers in the second session of the Preparatory Committee: the European Commission, the Permanent Observer Mission of the International Organization of la Francophonie, the Permanent Observer Mission of the Organization of African Unity, the International Committee of the Red Cross, the United Nations Children's Fund, the United Nations Development Programme, the World Health Organization and the World Bank.

II. Organization of the work of the Preparatory Committee

5. Pursuant to the decision adopted at its first session (see A/CONF.192/PC/9, para. 16), the Preparatory Committee held its second session at United Nations Headquarters from 8 January to 19 January 2001.

6. During its second session, the Committee held a total of 18 plenary meetings.

7. At its 11th meeting, held on 8 January 2001, the Committee was informed that the Group of African States had endorsed the candidacy of Mr. Jean Du Preez of South Africa for the position of vice-chairman.

8. The Committee was also informed that, following the resignations of Mr. Filipe de Macedo Soares of Brazil and Mr. Juan Miguel Miranda of Peru from their positions as vice-chairmen, the Group of Latin American and Caribbean States

had respectively endorsed Ms. Ana-Maria Sampaio Fernandes of Brazil and Mr. Raul Salazar Cosio of Peru, to replace them.

9. The Committee was also informed that, following the resignations of Mr. Pierre Charasse of France, Mr. Mario Duarte of Portugal, and Mr. Mark Gaillard of Canada from their positions as vice-chairmen, the Group of Western European and Other States had respectively endorsed Ms. Marie-France André of Belgium, Mr. Henrik Salander of Sweden, and Mr. Robert McDougall of Canada, to replace them.

10. At the same meeting, the Committee elected the following officers:

Vice-Chairpersons:

Ms. Marie-France André	Belgium
Mr. Jean Du Preez	South Africa
Mr. Robert McDougall	Canada
Mr. Henrik Salander	Sweden
Mr. Raul Salazar-Cosio	Peru
Ms. Ana Maria Sampaio Fernandes	Brazil

11. At the same meeting, the Committee decided that the Secretary of the Preparatory Committee would assist the Chair in preparing the report and would submit it to the Committee.

12. Ms. Agnès Marcaillou, Senior Political Affairs Officer, Department for Disarmament Affairs, served as Secretary of the Preparatory Committee.

13. Also at its 11th meeting, the Committee considered the time-table submitted by the Chair for the week 8 to 12 January 2001, as contained in Informal Paper Number 1 of 8 January 2001, and decided to devote the first week of its work to general statements followed by a sequential consideration, in plenary meetings, of the Chairman's working paper entitled "Draft programme of action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects", as contained in document A/CONF.192/PC/L.4.

14. At its 19th meeting, held on 15 January, the Committee considered the time-table submitted by the Chair for the week 15 to 19 January 2001, as contained in Informal Paper Number 2 of 15 January 2001, and adopted it as amended (Informal Paper Number 2/Rev.1 of 16 January).

15. At its 21st meeting, held on 16 January, the Chairman informed the Preparatory Committee that the Secretary-General of the United Nations had designated Mr. Joao Honwana, Chief, Conventional Arms Branch, Department for Disarmament Affairs, as Secretary-General of the Conference, and Mr. Mohammed Sattar, Senior Political Affairs Officer, Department of General Assembly Affairs and Conference Services as Deputy Secretary-General of the Conference.

16. At its 20th meeting, held on 15 January, the Preparatory Committee decided to hold an informal meeting on 18 January to listen to the views of non-governmental organizations. It was agreed that the decision of the Preparatory Committee was taken without prejudice to its consideration of the draft decision on "modalities of attendance of non-governmental organizations at the sessions of the Preparatory

Committee". It was also agreed that this decision would not constitute any precedent for the future.

17. On 18 January, the Committee held an informal meeting during which the representatives of the following non-governmental organizations presented their views: Institute for Securities Studies, British American Security Information Council, Fund for Peace, Viva Rio, Amnesty International, International Physicians for the Prevention of Nuclear War, Physicians for Social Responsibility, Safer-Net, Saferworld, National Rifle Association, Groupe de recherche et d'information sur la paix et la sécurité, International Alert, Centre for Democratic Empowerment, Oxfam, United Nations Association-United Kingdom, Institute of Education for Sustainable Development, Security Research and Information Centre, Small Arms Survey, Human Rights Watch, National Center for Economic and Security Alternatives, World Council for Religion and Peace, Public Affairs Committee, European Institute for Risk, Security, and Communication Management (EURISC Foundation), Quaker United Nations Office, Pax Christi International, Fellowship for Reconciliation, Maryknoll Office for Global Concerns, International Action Network on Small Arms, Eminent Persons Group.

18. The Preparatory Committee had before it the following reports of the Secretary-General:

(a) Report of the Secretary-General entitled "Small arms" (A/55/189, 28 July 2000);

(b) Report of the Secretary-General entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them" (A/55/216, 2 August 2000);

(c) Report of the Secretary-General entitled "Illicit traffic in small arms" (A/55/323, 25 August 2000).

19. A number of delegations circulated the following documents:

(a) A/CONF.192/PC/19: Letter dated 8 December 2000 from the Chairman of the Latin American and Caribbean Regional Preparatory Meeting addressed to the Chairman of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, transmitting the Brasilia Declaration;

(b) A/CONF.192/PC/20: Letter dated 22 December 2000 from the Permanent Representative of Austria to the United Nations addressed to the Department for Disarmament Affairs of the United Nations, transmitting a letter from the Minister for Foreign Affairs of Austria, in her capacity as Chairperson-in-Office of the Organization for Security and Cooperation in Europe addressed to the Secretary-General of the United Nations;

(c) A/CONF.192/PC/21: Note verbale dated 14 December 2000 from the Permanent Mission of France to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting on behalf of the European Union the text of a plan of action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects;

(d) A/CONF.192/PC/22, annex: Working paper submitted by Japan outlining its basic position on the action plan for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

(e) A/CONF.192/PC/23: Letter dated 8 January 2001 from the Permanent Representatives of Mali and Togo to the United Nations addressed to the Chairman of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, transmitting the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons;

(f) A/CONF.192/PC/24: Letter dated 9 January 2001 from the Chairman of the Pacific Island Forum group of countries in New York for January 2001 addressed to Mr. Jayantha Dhanapala, Under-Secretary-General for Disarmament Affairs, transmitting a paper entitled "Small Arms and Light Weapons: The Interests and Involvement of Pacific Island Forum countries";

(g) A/CONF.192/PC/25: Working paper by Switzerland and France on establishing a tracing mechanism to prevent and reduce excessive and destabilizing accumulation and transfer of small arms and light weapons;

(h) A/CONF.192/PC/26: Letter dated 10 January 2001 from the Permanent Representative of South Africa to the United Nations in his capacity as Chairman of the Coordinating Bureau of the Non-Aligned Countries addressed to the Chairman of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

(i) A/CONF.192/PC/27: Working paper submitted by Japan on the working paper submitted by the Chairman of the Preparatory Committee.

20. A number of relevant United Nations documents were made available at the second session of the Preparatory Committee. The list of documents is contained in Information Paper No. 1/Rev.1 of 17 January 2001.

21. A list of delegations participating in the second session of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects is contained in document A/CONF.192/PC/28.

22. Pursuant to the decision of the General Assembly of 15 December 1999 that summary records be provided for only those meetings at which decisions would be taken, summary records were provided for five meetings, i.e. the 11th, 19th, 20th, 26th and 28th meetings.

III. Decisions of the Preparatory Committee

23. At its 20th meeting, held on 15 January 2001, the Preparatory Committee decided to recommend that draft rule 33 of the draft rules of procedure on "decision-making", contained in document A/CONF.192/PC/L.8, be included in the draft rules of procedure for the Conference (A/CONF.192/PC/L.5).

24. At its 26th meeting, the Committee decided to recommend to the Conference the draft provisional agenda for the Conference, as contained in A/CONF.192/PC/L.2/Rev.1.

25. At its 28th meeting, the Committee decided to continue its consideration of the draft rules of procedure for the Conference, as contained in A/CONF.192/PC/L.5, at its third session.

26. At the same meeting, the Committee decided to continue its consideration of the modalities of attendance of non-governmental organizations at the meetings of the Preparatory Committee at its third session.

27. Also at the same meeting, the Committee decided to continue its consideration of the draft objective of the Conference at its third session.

28. At the same meeting, the Committee also decided to continue its consideration of the decision on background documents to be made available in advance.

29. At the same meeting, the Committee also decided to continue its consideration of the draft final documents, including a programme of action, at its third session.

30. The Preparatory Committee concluded its second session on 19 January 2001.

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Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
Second session
8-19 January 2001

Draft decision on the modalities of attendance of non-governmental organizations at the sessions of the Preparatory Committee as well as at the Conference

The Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, recalling paragraph 4 of General Assembly resolution 54/54 V of 15 December 1999, decides that:

(a) With respect to the attendance of non-governmental organizations at the sessions of the Preparatory Committee and at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, attendance should be open to:

(i) Non-governmental organizations enjoying consultative status with the Economic and Social Council;

(ii) Non-governmental organizations relevant and competent as regards the scope and the purpose of the Conference, provided that their requests are accompanied by information on the organization's purpose, programmes and activities in areas relevant to the scope of the Conference;

(b) These requests by non-governmental organizations to attend the meetings of the Preparatory Committee or the Conference will be presented to the Chairman of the Preparatory Committee, who subsequently will provide the Committee with the list of attending non-governmental organizations. Member States will decide on a no-objection basis regarding the attendance of these non-governmental organizations;

(c) Non-governmental organizations may attend the meetings of the Preparatory Committee and the Conference, other than those designated as closed;

(d) Non-governmental organizations that have been accredited to the Preparatory Committee may attend the Conference, unless otherwise decided by the Conference;

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(e) Representatives of registered non-governmental organizations will be allowed to address the Conference and its Preparatory Committee during one meeting specifically allocated for this purpose. This meeting will not coincide with other meetings of the Conference or its Preparatory Committee;

(f) At their own expense, non-governmental organizations may provide material to the delegations, outside the conference room, in the area of the Preparatory Committee as well as the Conference;

(g) Non-governmental organizations that attend these meetings will be provided, upon request, with documents related to the Preparatory Committee and to the Conference.

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Second session
8-19 January 2001

Draft decision on the modalities of attendance of non-governmental organizations at the sessions of the Preparatory Committee as well as at the Conference

The Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, recalling paragraph 4 of General Assembly resolution 54/54 V of 15 December 1999, decides that:

(a) With respect to the attendance of non-governmental organizations at the sessions of the Preparatory Committee and at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, attendance should be open to non-governmental organizations relevant and competent as regards the scope and the purpose of the Conference, including those enjoying consultative status with the Economic and Social Council, provided that their requests are accompanied by information on the organization's purpose, programmes and activities in areas relevant to the scope of the Conference;[1]

(b) These requests by non-governmental organizations to attend the meetings of the Preparatory Committee or the Conference will be presented to the Chairman of the Preparatory Committee, who subsequently will provide the Preparatory Committee with the list of attending non-governmental organizations. States participating in the Conference will decide on a no-objection basis regarding the attendance of these non-governmental organizations;

(c) Non-governmental organizations accredited through the above process may attend the meetings of the Preparatory Committee and the Conference, other than those designated as closed;

[1] Non-governmental organizations enjoying consultative status with the Economic and Social Council are not required to submit information on their organizations' purpose, programmes and activities in areas relevant to the scope of the Conference.

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(d) Non-governmental organizations that have been accredited to the Preparatory Committee may attend the Conference, unless otherwise decided by the Conference;

(e) Representatives of accredited non-governmental organizations will be allowed to address the Conference and its Preparatory Committee during one meeting specifically allocated for this purpose. This meeting will not coincide with other meetings of the Conference or its Preparatory Committee;

(f) At their own expense, non-governmental organizations may provide material to the delegations, outside the conference room, in the area of the Preparatory Committee as well as the Conference;

(g) Non-governmental organizations that attend these meetings will be provided, upon request, with documents related to the Preparatory Committee and to the Conference.

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Second session
8-19 January 2001

Draft rule 33 of the draft rules of procedure for the Conference

Every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.

If, notwithstanding the best efforts of delegates to achieve a consensus, a matter of substance comes up for voting, the President shall defer the vote for forty-eight hours and, during this period of deferment, shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

If by the end of the period of deferment the Conference has not reached agreement, voting shall take place in accordance with rule 35.

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